

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41547 of 2019

Arising Out of PS. Case No.-97 Year-2015 Thana- JAHANABAD District- Jehanabad

Raj Malhotra Son of Sagar Paswan Resident of Village - Bairiya, P.S.-
Gopalpur, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Arun Kumar Singh son of Rewati Raman Singh Resident of Vill- Kanhauli,
P.S.-Nirmali and District-Supaul, the then Branch Manager State Bank of
India, Branch, Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-09-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the State Bank of India.

The petitioner who is in custody since 25.02.2019 has
filed the instant application for grant of bail in connection with
Jehanabad P.S. Case No. 97 of 2015 registered for the offence
punishable under sections 420 and 379 of the Indian Penal
Code.

As per the allegation in the FIR, the petitioner who
was working as a Customer Assistant in the State Bank of India
is said to have cheated one Dukhni Devi of Rs. 25000/-

It is submitted by learned counsel for the petitioner
that although in course of enquiry as stated in the F.I.R., the fact



of withdrawal of a sum of Rs. 25000/- has transpired, however, from the order of the court below also it would be evident that the said sum has been received by the said Dukhni Devi.

It is submitted by learned counsel for the State Bank of India that in course of enquiry by the Bank official the act of cheating by the petitioner of Rs. 25000/- had transpired and further from the fact that the said amount was subsequently returned by the petitioner to Dukhni Devi even confirms the report against this petitioner and as such it is not a fit case for grant of bail.

Having heard learned counsel for the parties and taking into consideration the fact that a sum of Rs. 25000/- has been received by the alleged victim Dukhni Devi and also the fact that the petitioner is in custody since 25.02.2019, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case No. 97 of 2015.

(Partha Sarthy, J)

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